

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**JENNIFER LYNN WINTERS**  
**a.k.a. JENNIFER LYNN GALLAGHER**  
**4310 East Balsam Avenue**  
**Mesa, AZ 85206**

**Registered Nurse License No. 661403**

Respondent.

Case No. 2008-8

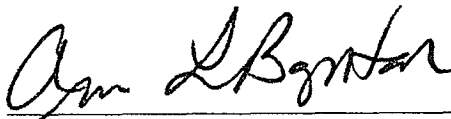
OAH No. 2008040576

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **December 10, 2009.**

IT IS SO ORDERED this **December 10, 2009.**



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President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 EDMUND G. BROWN JR.  
Attorney General of California  
2 JANICE K. LACHMAN  
Supervising Deputy Attorney General  
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7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2008-8

OAH No. 2008040576

13 **JENNIFER LYNN WINTERS aka**  
14 **JENNIFER LYNN GALLAGHER**  
15 **4310 East Balsam Avenue**  
16 **Mesa, Az 85206**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

17 Registered Nurse License No. 661403

Respondent.

18 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
19 proceeding that the following matters are true:

20 PARTIES

21 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Interim Executive Officer of the  
22 Board of Registered Nursing. She brought this action solely in her official capacity and is  
23 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
24 by Anahita S. Crawford, Deputy Attorney General.

25 2. Jennifer Lynn Winters also known as Jennifer Lynn Gallagher, RN (Respondent) is  
26 representing herself in this proceeding and has chosen not to exercise her right to be represented  
27 by counsel.

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3. On or about July 22, 2005, the Board of Registered Nursing issued Registered Nurse License No. 661403 to Jennifer Lynn Winters also known as Jennifer Lynn Gallagher, RN (Respondent). This license expires on January 31, 2011, unless renewed.

## JURISDICTION

4. Accusation No. 2008-8 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on or about July 13, 2007. Respondent failed to file a Notice of Defense within 15 days after service upon her of the Accusation. A Default Decision and Order was filed on April 30, 2009. Respondent requested the Default be set aside and a hearing be scheduled. A copy of the Default Decision and Order with attached Accusation No. 2008-8 is attached as Exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2008-8. Respondent also has carefully read, and understands the effects of this Stipulated Surrender of License and Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 CULPABILITY

2 8. Respondent admits the truth of each and every charge and allegation in Accusation  
3 No. 2008-8, agrees that cause exists for discipline and hereby surrenders Registered Nurse  
4 License No. 661403 for the Board's formal acceptance.

5 9. Respondent understands that by signing this stipulation she enables the Board to issue  
6 an order accepting the surrender of her Registered Nurse License without further process.

7 CONTINGENCY

8 10. This stipulation shall be subject to approval by the Board of Registered Nursing.  
9 Respondent understands and agrees that counsel for Complainant and the staff of the Board of  
10 Registered Nursing may communicate directly with the Board regarding this stipulation and  
11 surrender, without notice to or participation by Respondent. By signing the stipulation,  
12 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind  
13 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt  
14 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be  
15 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action  
16 between the parties, and the Board shall not be disqualified from further action by having  
17 considered this matter.

18 11. The parties understand and agree that facsimile copies of this Stipulated Surrender of  
19 License and Order, including facsimile signatures thereto, shall have the same force and effect as  
20 the originals.

21 12. In consideration of the foregoing admissions and stipulations, the parties agree that  
22 the Board may, without further notice or formal proceeding, issue and enter the following Order:

23 ORDER

24 IT IS HEREBY ORDERED that Registered Nurse License No. 661403 issued to  
25 Respondent Jennifer Lynn Winters also known as Jennifer Lynn Gallagher, RN is surrendered  
26 and accepted by the Board of Registered Nursing.

27 13. The surrender of Respondent's Registered Nurse License and the acceptance of the  
28 surrendered license by the Board shall constitute the imposition of discipline against Respondent.

1 This stipulation constitutes a record of the discipline and shall become a part of Respondent's  
2 license history with the Board.

3 14. Respondent shall lose all rights and privileges as a Registered Nurse in California as  
4 of the effective date of the Board's Decision and Order.

5 15. Respondent shall cause to be delivered to the Board both her wall license certificate,  
6 if one was issued, and pocket license on or before the effective date of the Decision and Order.

7 16. If Respondent ever applies for licensure or petitions for reinstatement in the State of  
8 California, the Board shall treat it as a petition for reinstatement. Respondent must comply with  
9 all the laws, regulations and procedures for licensure in effect at the time the application or  
10 petition is filed, and all of the charges and allegations contained in Accusation No. 2008-8 shall  
11 be deemed to be true, correct and admitted by Respondent when the Board determines whether to  
12 grant or deny the petition.

13 17. Upon reinstatement of the license, Respondent shall pay to the Board costs associated  
14 with its investigation and enforcement pursuant to Business and Professions Code section 125.3  
15 in the amount of One Thousand, Six Hundred Two Dollars and Seventy-five Cents (\$1,602.75).  
16 Respondent shall be permitted to pay these costs in a payment plan approved by the Board.

17 18. Should Respondent ever apply or reapply for a new license or certification, or petition  
18 for reinstatement of a license, by any other health care licensing agency in the State of California,  
19 all of the charges and allegations contained in Accusation No. 2008-8 shall be deemed to be true,  
20 correct, and admitted by Respondent for the purpose of any Statement of Issues or any other  
21 proceeding seeking to deny or restrict licensure.

22 19. Respondent shall not apply for licensure or petition for reinstatement for two (2)  
23 years from the effective date of the Board of Registered Nursing's Decision and Order.

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**Exhibit A**

**DEFAULT DECISION AND ORDER  
WITH ATTACHED ACCUSATION NO. 2008-8**

ORIGINAL

EDMUND G. BROWN JR., Attorney General  
of the State of California  
ALFREDO TERRAZAS  
Senior Assistant Attorney General  
ARTHUR D. TAGGART, State Bar No. 83047  
Supervising Deputy Attorney General  
California Department of Justice  
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P.O. Box 944255  
Sacramento, CA 94244-2550  
Telephone: (916) 324-5339  
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Attorneys for Complainant

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

JENNIFER LYNN WINTERS  
4310 E. Balsam Avenue  
Mesa, AZ 85206

Registered Nurse License No. 661403

Respondent.

Case No. 2008-8

**DEFAULT DECISION  
AND ORDER**

[Gov. Code §11520]

FINDINGS OF FACT

1. On or about July 6, 2007, Complainant Ruth Ann Terry, M.P.H., R.N., in her official capacity as the Executive Officer of the Board of Registered Nursing, Department of Consumer Affairs, filed Accusation No. 2008-8 against Jennifer Lynn Winters ("Respondent"), before the Board of Registered Nursing.

2. On or about July 22, 2005, the Board of Registered Nursing ("Board") issued Registered Nurse License Number 661403 to Respondent. Respondent's registered nurse license will expire on January 31, 2009, unless renewed.

3. On or about July 13, 2007, Araceli Mercado, an employee of the Office of the Attorney General, served by Certified and First Class Mail a copy of the Accusation No. 2008-8, Statement to Respondent, Notice of Defense, Request for Discovery, and Government



1 Code sections 11507.5, 11507.6, and 11507.7 to Respondent's address of record with the Board,  
2 which was and is 4310 E. Balsam Avenue, Mesa, AZ 85206. A copy of the Accusation and the  
3 related documents are attached as exhibit A and are incorporated herein by reference.

4 4. Service of the Accusation was effective as a matter of law under the  
5 provisions of Government Code section 11505, subdivision (c).

6 5. Business and Professions Code section 118 states, in pertinent part:

7 (b) The suspension, expiration, or forfeiture by operation of law of a  
8 license issued by a board in the department, or its suspension, forfeiture, or  
9 cancellation by order of the board or by order of a court of law, or its surrender  
10 without the written consent of the board, shall not, during any period in which it  
11 may be renewed, restored, reissued, or reinstated, deprive the board of its  
12 authority to institute or continue a disciplinary proceeding against the licensee  
13 upon any ground provided by law or to enter an order suspending or revoking the  
14 license or otherwise taking disciplinary action against the license on any such  
15 ground.

16 6. Government Code section 11506 states, in pertinent part:

17 (c) The respondent shall be entitled to a hearing on the merits if the  
18 respondent files a notice of defense, and the notice shall be deemed a specific  
19 denial of all parts of the accusation not expressly admitted. Failure to file a notice  
20 of defense shall constitute a waiver of respondent's right to a hearing, but the  
21 agency in its discretion may nevertheless grant a hearing.

22 7. Respondent failed to file a Notice of Defense within 15 days after service  
23 upon her of the Accusation, and therefore waived her right to a hearing on the merits of  
24 Accusation No. 2008-8.

25 8. California Government Code section 11520 states, in pertinent part:

26 (a) If the respondent either fails to file a notice of defense or to appear at  
27 the hearing, the agency may take action based upon the respondent's express  
28 admissions or upon other evidence and affidavits may be used as evidence without  
any notice to respondent.

9. Pursuant to its authority under Government Code section 11520, the Board  
finds Respondent is in default. The Board will take action without further hearing and, based on  
Respondent's express admissions by way of default and the evidence before it, contained in  
exhibit A, finds that the allegations in Accusation No. 2008-8 are true.

10. The total costs for investigation and enforcement are \$494.00 as of  
October 14, 2008, as evidenced by attached exhibit B.

1 DETERMINATION OF ISSUES

2 1. Based on the foregoing findings of fact, Respondent Jennifer Lynn  
3 Winters has subjected her Registered Nurse License Number 661403 to discipline.

4 2. A copy of the Accusation and the related documents are attached.

5 3. The agency has jurisdiction to adjudicate this case by default.

6 4. The Board of Registered Nursing is authorized to revoke Respondent's  
7 Registered Nurse License based upon the following violation alleged in the Accusation:  
8 Business and Professions Code section 2761, subdivision (a)(4) (disciplinary action by the  
9 Arizona State Board of Nursing).

10 ORDER

11 IT IS SO ORDERED that Registered Nurse License Number 661403, heretofore  
12 issued to Respondent Jennifer Lynn Winters, is revoked.

13 Pursuant to Government Code section 11520, subdivision (c), Respondent may  
14 serve a written motion requesting that the Decision be vacated and stating the grounds relied on  
15 within seven (7) days after service of the Decision on Respondent. The agency in its discretion  
16 may vacate the Decision and grant a hearing on a showing of good cause, as defined in the  
17 statute.

18 This Decision shall become effective on April 30, 2009

19 It is so ORDERED March 30, 2009

20 *Susanne Phillips MSN, RN, FNP-BC*

21 FOR THE BOARD OF REGISTERED NURSING  
22 DEPARTMENT OF CONSUMER AFFAIRS

23 Attachments:

24 Exhibit A: Accusation No. 2008-8 and Related Documents

25 Exhibit B: Proof of Costs

26 Winters, Jennifer Lynn.def.wpd  
27  
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1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ALFREDO TERRAZAS  
Senior Assistant Attorney General  
3 ARTHUR D. TAGGART, State Bar No. 83047  
Supervising Deputy Attorney General  
4 California Department of Justice  
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6 Telephone: (916) 324-5339  
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7 Attorneys for Complainant  
8

9 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2008-8

13 JENNIFER LYNN WINTERS  
4310 E. Balsam Avenue  
14 Mesa, AZ 85206

**A C C U S A T I O N**

15 Registered Nurse License No. 661403

16 Respondent.  
17

18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. ("Complainant") brings this Accusation  
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing  
22 ("Board"), Department of Consumer Affairs.

23 2. On or about July 22, 2005, the Board issued Registered Nurse License  
24 Number 661403 to Jennifer Lynn Winters ("Respondent"). Respondent's registered nurse  
25 license was in full force and effect at all times relevant to the charges brought herein and will  
26 expire on January 31, 2009, unless renewed.

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1 and the Arizona State Board of Nursing ("Arizona Board"), in the disciplinary proceeding titled  
2 *In the Matter of Professional Nurse License No. RN123841 Issued to: Jennifer Lynn Winters*,  
3 Respondent's license was revoked. The revocation was stayed<sup>1</sup> and, effective September 20,  
4 2006, Respondent's license was suspended for twelve (12) months, placed on probation for  
5 another twelve (12) months with terms and conditions, and then placed on probation for an  
6 additional twenty-four (24) months. The Arizona Board's discipline was based upon the  
7 following conduct of Respondent, including, but not limited to: Using controlled substances,  
8 using alcohol in a dangerous manner, failing to account for narcotics/controlled substances as  
9 evidenced on multiple Pyxis<sup>2</sup> and medication administration records, diverting controlled  
10 substances, failing to complete documentation on assigned patients, failing to disclose a  
11 stipulated monitoring program agreement with the Arizona Board to her employer, and admitting  
12 to having a substance abuse problem to Arizona Board staff members. A true and correct copy of  
13 the Consent Agreement and Order No. 0608035 is attached as exhibit "A" and incorporated  
14 herein by reference.

15 **PRAYER**

16 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
17 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

18 1. Revoking or suspending Registered Nurse License Number 661403, issued  
19 to Jennifer Lynn Winters;

20 2. Ordering Jennifer Lynn Winters to pay the Board of Registered Nursing  
21 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and  
22 Professions Code section 125.3; and

23 ///

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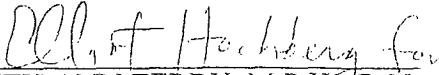
25 1. The revocation was stayed for as long as Respondent remained in compliance with the terms of the Order.

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27 2. The Pyxis is a medication dispensing system manufactured by Cardinal Health. The system automates the  
28 distribution, tracking, management, and control of medications. Pyxis machines or units are placed in patient care  
areas of hospitals and are used to dispense unit doses of drugs from locked drawers when a staff member enters a  
recognized PIN.

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3. Taking such other and further action as deemed necessary and proper.

DATED: 7/6/07

  
RUTH ANN TERRY, M.P.H., R.N.  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

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EXHIBIT A

Consent Agreement and Order No. 0608035



ARIZONA STATE BOARD OF NURSING

IN THE MATTER OF PROFESSIONAL )

NURSE LICENSE NO. RN123841 )

ISSUED TO: )

JENNIFER LYNN WINTERS )

RESPONDENT )

CONSENT AGREEMENT

AND

ORDER NO. 0608035

CONSENT AGREEMENT AND ORDER

A complaint charging Jennifer Lynn Winters, ("Respondent") with violation of the Nurse Practice Act has been received by the Arizona State Board of Nursing ("Board"). In the interest of a settlement of the above-captioned matter, consistent with the public interest, statutory requirements and the responsibilities of the Board, and pursuant to A.R.S. § 41-1092.07 (F)(5), the undersigned parties enter into this Consent Agreement and Order ("Order") as a final disposition of this matter.

Based on the evidence before it, the Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. Respondent holds Board issued professional nurse license no. RN123841.
2. From on or about March 2, 2005, through to, June 16, 2006, Applicant was employed by American Mobile Nursing Healthcare (AMNH), a travel registry, San Diego, CA.
3. On or about August 16, 2006, the Board received a complaint from AMNH that asserted on or about June 7, 2006, Respondent tested positive on a pre-employment urine drug screen (UDS) for Meperidine metabolite, confirmed by GC/MS testing, that resulted in termination of Respondent's employment on or about June 16, 2006.
4. On or about August 24, 2006, the Board mailed a CANDO contact letter to Respondent's address of record.

5. On or about September 6, 2006, the Board received a second complaint was received from Banner Good Samaritan Hospital (BGSH), alleging a narcotic discrepancy after Respondent removed a controlled substance for a patient that was not assigned to her. Respondent was asked to submit to for-cause UDS and sent home.

6. On or about September 6, 2006, a BGSH pharmacist reviewed Respondent's PYXIS and medication administration records which revealed the following:

a) On or about August 28, 2006, Respondent removed eight 100 mcg Fentanyl vials, but only documented two of these doses.

b) On or about August 28, 2006, Respondent removed five doses of Phenergan and failed to document any of these doses.

c) On or about August 29, 2006, Respondent removed two 100 mcg Fentanyl vials, but only documented she administered 4 mcg.

d) On or about August 30, 2006, Respondent removed two 100 mcg Fentanyl vials and failed to document any of these doses.

7. On or about September 7, 2006, Respondent was terminated from Banner Travel Registry.

8. On or about September 7, 2006, Respondent self-reported to the Board that she had diverted narcotics, including Morphine Sulfate, Fentanyl, Dilaudid, Percocet, or "...anything I could get..." and wanted to enter into the CANDO program. Respondent admitted she had obtained Meperidine while in Mexico and took it for back pain. Respondent was unable to provide a valid prescription or appropriate documentation to AMNH for the June 7, 2006 positive pre-employment UDS. Respondent admitted she had a problem with drugs, specifically controlled substances and also had valid prescriptions for Ativan, Ambien, Wellbutrin and

Effexor. Applicant stated she began taking narcotics "...to see what it feels like, but think it has become an addiction. I don't understand why I keep doing it."

9. On or about September 8, 2006, Board staff interviewed Respondent, she admitted to experimenting with amphetamines, cocaine, and marijuana. Respondent stated she began diverting narcotics on or around 2005, and admitted that her drug of choice is Dilaudid. Respondent admitted that on or about February 2004, she was arrested and charged with a DUI in North Dakota, her BAC was .21. Respondent denied having a problem with alcohol, but admitted that on September 2, 2006, she drank to blackout.

10. On or about September 8, 2006, Applicant signed the CANDO Stipulated Agreement, which required in part, that she attend a chemical dependency treatment program; refrain from the practice of nursing until CANDO has received a recommendation to return to work from the medical director or equivalent of the chemical dependency treatment program and CANDO had approved Respondent's re-entry into nursing; completely abstain from the use of alcohol and all other mind/mood altering medications and controlled and/or addictive substances; refrain from taking any medications, except for ibuprofen, plain aspirin and/or acetaminophen unless she had obtained a written authorization from her health care provider; immediately report to CANDO any relapse, relapse is any actual use of mood or mind altering chemicals including alcohol; and inform any and all nursing employers and/or schools of nursing of my participation in CANDO and provide them with a copy of her CANDO Agreement before accepting any clinical nursing assignment or work in the capacity that requires nursing licensure; and abide by standard nursing practice restrictions.

11. On or about September 12, 2006, a third complaint was filed with the Board from Phil Wedzik, RN, Nurse Manager at Maricopa Integrated Health System (MIHS), alleging while employed by Maxim Healthcare, and assigned to MIHS, Respondent failed to complete

patient documentation on two of her assigned patients and made up a fictitious patient and withdrew multiple doses of controlled substances, specifically Morphine Sulfate and Vicodin.

12. On or about September 12, 2006, Board staff contacted Respondent's employer, Maxim Healthcare, and according to the office manager, Respondent failed to disclose her CANDO Stipulated Agreement dated September 8, 2006 and confirmed that Respondent worked on September 9th and September 11, 2006.

13. On or about September 13, 2006, Respondent was discharged from CANDO.

### **CONCLUSIONS OF LAW**

Pursuant to A.R.S. §§ 32-1606, 32-1663, and 32-1664, the Board has subject matter and personal jurisdiction in this matter.

The conduct and circumstances described in the Findings of Fact constitute violations of A.R.S. § 32-1663 (D) as defined in § 32-1601(16)(d), (g), (h), (i), and (j), and A.A.C. R4-19-403(B) (1), (7), (8)(a)(b), (9), (15), (16), (17), (18), and (31) (Adopted and effective November 13, 2005).

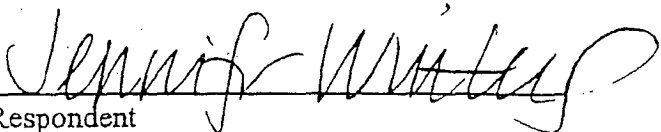
The conduct and circumstances described in the Findings of Fact constitute sufficient cause pursuant to A.R.S. § 32-1664(N) to revoke, suspend or take disciplinary action against the license of Respondent to practice as a professional nurse in the State of Arizona.

Respondent admits the Board's Findings of Fact and Conclusions of Law. In lieu of a formal hearing on these issues, Respondent agrees to issuance of the following Order and waives all rights to a hearing, rehearing, appeal, or judicial review relating to this Order.

Respondent understands the right to consult legal counsel prior to entering into the Order and such consultation has either been obtained or is waived.

Respondent understands that the term "Order" used throughout this document refers to all pages of the document including Findings of Fact, Conclusions of Law and all suspension/probationary terms and conditions and paragraphs of the Order.

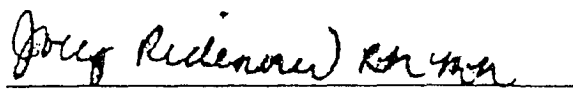
Respondent understands that this Consent Agreement is effective upon its acceptance by the Board and by Respondent as evidenced by the respective signatures thereto. Respondent's signature obtained via facsimile shall have the same effect as an original signature. Once signed by the Respondent, the agreement cannot be withdrawn without the Board's approval or by stipulation between the Respondent and the Board's designee. The effective date of this Order is the date the Consent Agreement is signed by the Board and by Respondent. If the Consent Agreement is signed on different dates, the later date is the effective date.

  
Respondent

Dated: 9-15-06

ARIZONA STATE BOARD OF NURSING

SEAL

  
Joey Ridenour, R.N., M.N.  
Executive Director

Dated: 9/20/2006

RAPPOPORT/RN123841/WINTERS

ORDER

In view of the above Findings of Fact, Conclusions of Law and consent of Respondent, the Board hereby issues the following Order:

A. Respondent's professional nurse license number RN123841 is hereby revoked; however, the revocation is stayed for as long as Respondent remains in compliance

with this Order. During the stay of the revocation, Respondent's professional nurse license number RN123841 is placed on suspension for twelve (12) months and on probation for twelve (12) months with terms and conditions, followed by probation for twenty-four (24) months. Before termination of this Order, Respondent shall work as a professional nurse for a minimum of twelve months (not less than sixteen hours a week).

**B. If Respondent is non-compliant with any of the terms of the Order during the 24-month stayed revocation period, the stay of the revocation shall be lifted and Respondent's license shall be automatically revoked for a period of five (5) years. The Board or its designee, in its sole discretion, shall determine noncompliance with the stayed portion of the Order. Respondent waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.**

C. If Respondent is noncompliant with any of the terms of the Order during the 24-month standard probation portion of the Order, Respondent's noncompliance shall be reviewed by the Board for consideration of possible further discipline on Respondent's nursing license.

D. At any time Respondent is required by terms of the Order to provide a copy of the Order to another individual or facility the Respondent must provide all pages of the Consent Agreement and Order.

E. If Respondent is convicted of a felony, Respondent's license shall be automatically revoked for a period of five (5) years. Respondent waives any and all rights to a hearing, rehearing or judicial review of any revocation imposed pursuant to this paragraph.

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F. The suspension is subject to the following terms and conditions:

**TERMS OF SUSPENSION (Stayed Revocation)**

1. Surrender of License

Within seven (7) days of the effective date of the consent agreement

Respondent shall surrender the license to the Board and Respondent shall not practice nursing for twelve months.

2. Rehabilitation Program

Within thirty (30) days of the effective date of this Order, Respondent shall enter and successfully complete a State licensed chemical dependency rehabilitation program. Upon entry, Respondent shall sign release of information forms allowing the program to inform the Board of Respondent's entry, progress in and discharge or termination from the program. Within (7) days of the completion of the program, Respondent shall cause the program director to provide the Board with documentation confirming Respondent's completion of the program and treatment recommendations. The Board or its designee may amend this Order based on the treatment programs recommendations.

3. Completion of Suspension

After Respondent has successfully completed all terms of the 12-month Stayed Revocation Suspension as determined by the Board's designee, Respondent's license shall be placed on a 12-month Stayed Revocation Probation with terms and conditions.

**TERMS OF SUSPENSION AND PROBATION**  
**(Stayed Revocation and Standard)**

1. Renewal of License

If Respondent's professional nursing is expired at the time of the effective date of the Consent Agreement and Order, Respondent must renew the license within seven (7)

days of the effective date. In the event the professional license is scheduled to expire during the duration of this Order, Respondent shall apply for renewal of the professional license and pay the applicable fee before the expiration date. Failure to renew within seven (7) days of the effective date of this Order, if it is expired, or failure to renew a license by the last date in which the license is to expire, shall be considered as noncompliance.

2. Aftercare Program

Within seven (7) days of completing a chemical dependency rehabilitation program, Respondent shall enroll in and successfully complete a state licensed chemical rehabilitation aftercare program. Upon entry, Respondent shall sign release of information forms allowing the program to inform the Board of Respondent's entry, progress in and discharge or termination from the program. Respondent shall cause the program to provide to the Board, in writing and on the Board-approved form, evidence of satisfactory progress in the program, as well as discharge or termination from the program. Such reports are due beginning on the first quarterly reporting date after entry into the program and quarterly thereafter according to schedule, until completion of the aftercare program. Within seven (7) days of the completion of the program, Respondent shall cause the program director to provide the Board with documentation confirming Respondent's completion of the program and any additional treatment recommendations.

3. Nurse Recovery Group

Within seven (7) days of the completion of a Rehabilitation Program, Respondent shall enroll in a Board-acceptable Nurse Recovery Group if a group is available within forty miles. Respondent shall sign release of information forms allowing the group facilitator to inform the Board, in writing and on letterhead, of Respondent's entry and progress



in the group. Respondent shall attend a Nurse Recovery Group once per week and have no "Unexcused" absences or "No call/No show" occurrences.

4. Participation in AA/NA

(a) Within seven (7) days of the effective date of this Order, and throughout the term of this Order, Respondent shall participate at least weekly, or as recommended by the Rehabilitation Program, in Alcoholics Anonymous, Narcotics Anonymous, or an equivalent program, and shall submit to the Board, in writing on Board-approved forms, quarterly reports which are initialed by her sponsor. The first report is due by the end of the first month after the effective date of the Order, and quarterly thereafter according to the assigned reporting dates.

(b) Respondent shall obtain a temporary sponsor, if participating in a twelve-step program, within thirty (30) days of the effective date of this Order and a permanent sponsor within sixty to ninety days. Respondent shall maintain a sponsor relationship throughout the terms of this Order.

5. Drug Testing

Within seven (7) days of the effective date of this Order, Respondent shall enroll in a program that meets Board criteria for random drug testing. Random drug testing shall be done at a minimum of once (1) per month and may be required more frequently as requested by the Board or its designee. Respondent shall notify the drug testing laboratory and the Board, in writing, of unavailability to test before the anticipated absence. If Respondent is unable to submit a specimen on a date requested due to illness, Respondent must provide in writing within seven (7) days of the missed specimen, documentation from a medical provider who has personally seen Respondent on the day of the requested drug test confirming that Respondent was not physically able to report to the laboratory for drug testing. In addition, any occurrence of

the following conditions constitutes noncompliance: a positive drug test showing evidence of any drug other than an authorized drug; submission of a specimen where the integrity has been compromised, as indicated by the presence of adulterants; failure to submit to a drug test on a day when a drug test has been requested by either the Board, its designee, or the laboratory; and submission of a urine sample that is below the acceptable volume or temperature to be tested. A positive drug test showing evidence of any drug other than an authorized drug shall result in immediate notification of Respondent's employer by the Board.

6. One Medical Provider

Within thirty (30) days of the effective date of this Order, Respondent shall submit to the Board for approval the name of one treatment professional of Respondent's choice to conduct medical treatment for Respondent. Within seven (7) days of receipt of approval from the Board Respondent shall make an appointment to begin participation in treatment. Respondent shall immediately execute the appropriate release of information form(s) to allow the treating professional(s) to communicate information to the Board or its designee, and Respondent shall immediately provide a copy of the entire Consent Agreement to all treating professional(s). Within seven (7) days of the beginning of treatment, Respondent shall cause any and all treating professional(s) to provide written verification of enrollment in treatment and verifying receipt of the consent agreement. Thereafter, Respondent shall cause any and all treating professional(s) to provide quarterly reports to the Board according to the quarterly reporting schedule assigned to Respondent. Respondent shall continue undergoing treatment until the treating professional(s) notify the Board, in writing on letterhead, that treatment is no longer needed. The Board reserves the right to amend the Order based on recommendation(s) of treating professional(s).

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7. Pharmacy Profiles

Throughout the duration of this Order, Respondent shall use only one pharmacy from which to obtain her prescriptions. Within thirty (30) days of the effective date of the Consent Agreement, Respondent shall submit in writing to the Board the name of every pharmacy and/or facility from which Respondent is currently obtaining prescription medications, and shall submit the name of the pharmacy from which she chooses to obtain future prescriptions. Throughout the duration of the Order, Respondent must inform the Board in writing within seven (7) days of any additions or changes in pharmacies from which Respondent obtains medications. Respondent shall submit a copy of all pharmacy profiles to the Board on a quarterly basis according to the assigned reporting due dates, and upon request from the Board or its designee. The first report shall be due on the first quarterly due date after the effective date of this Order.

8. Abstain from Alcohol Use

Respondent shall completely abstain from the use of alcohol.

9. Abstain from Unauthorized Drug Use/Proof of Prescription

Respondent shall completely abstain from the use or possession of controlled substances, and dangerous drugs as defined by law, or any drugs requiring a prescription.

Orders prohibiting Respondent from personal use or possession of controlled substances or dangerous drugs do not apply to medications lawfully prescribed to Respondent for an illness or condition by a medical provider. During the duration of this Order, Respondent shall select one medical provider to coordinate her health care needs and to be aware of all prescriptions utilized. Within seven (7) days of the effective date of this Order, Respondent shall cause all medical providers who have prescribed medications which are currently being used by the Respondent daily or on an as needed basis to provide in writing, on letterhead, verification of

knowledge of Respondent's history of substance use, awareness of Respondent's Consent Agreement and Order with the Board, and documentation of current medications prescribed for Respondent. Respondent shall execute all release of information form(s) as required by the Board or its designee so that Respondent's medical providers shall be able to communicate information with the Board. Prior to receiving treatment from any other medical provider(s), Respondent shall notify the medical provider(s) of Respondent's history of substance use and of the existence of the Order. DURING THE COURSE OF THE ORDER RESPONDENT SHALL CAUSE ANY AND ALL PROVIDERS TO NOTIFY THE BOARD OF THEIR AWARENESS OF RESPONDENT'S HISTORY OF SUBSTANCE USE, BOARD ORDER, AND NOTIFICATION OF ANY MEDICATIONS ORDERED BY THE PROVIDER. THE NOTIFICATION SHALL BE MADE IN WRITING WITHIN ONE WEEK OF THE PROVIDER'S ISSUANCE OF THE PRESCRIPTION.

If Respondent has a lawful prescription for a controlled substance, Respondent shall cause her prescribing provider to provide monthly reports to the Board regarding the continued need for the prescribed narcotic or mood-altering medications within seven (7) days of the 30<sup>th</sup> day of each month. The Board or its designee may, at any time, request the provider to document the continued need for prescribed medications. Such report from the provider shall be received by the Board within fourteen (14) days of the request. Respondent shall keep a written record of medications taken, including over-the-counter drugs, and produce such record upon request by the Board or its designee.

#### 10. Release of Information Forms

Respondent shall sign all release of information forms as required by the Board or its designee and return them to the Board within ten (10) days of the Board's written request. If Respondent fails to execute the releases, her license shall automatically be revoked.

11. Interview with the Board or it's Designee

Respondent shall appear in person or if residing out of state, telephonically for interviews with the Board or its designee upon request and with at least two (2) days notice.

12. Change of Employment/Personal Address/Telephone Number

Respondent shall notify the Board, in writing, within seven (7) days of any change in nursing employment, personal address or telephone number.

13. Obey All Laws

Respondent shall obey all federal, state and local laws, and all laws/rules governing the practice of nursing in this state. Offenses or convictions such as driving under the influence may subject Respondent to further disciplinary action. Minor civil traffic violations are excluded.

14. Costs

Respondent shall bear all costs of complying with this Order.

15. Voluntary Surrender of License

Respondent may, at any time this Order is in effect, voluntarily request surrender of her license.

16. Violation of Terms of Consent Agreement and Order

During the stayed revocation portion of the Order (*the first 24-months*), if Respondent is non-compliant with the terms of the Order, the stay of revocation shall be lifted and Respondent's license shall be automatically revoked.

If during the standard probation (*the last 24-months*) portion of the Order, Respondent is noncompliant with the terms of the Order in any respect, Board staff may notify the Respondent's employer of the non-compliance. Additionally, the Board may revoke probation and take further disciplinary action for noncompliance with this agreement after

affording Respondent notice and the opportunity to be heard. If a complaint or petition to revoke probation is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

#### 17. Completion of Suspension

When Respondent has successfully completed the terms of the 12-month Stayed Revocation Probation, Respondent's license shall be placed on 24-month Probation with terms and conditions.

### **TERMS OF PROBATION**

#### 1. Stamping of License

Following completion of the 12-month Stayed Revocation Suspension, Respondent's license shall be stamped "Probation" and returned to Respondent. While this Order is in effect, if the Board issues any certificates or licenses authorized by statute, except a nursing assistant certificate, such certificate or license shall also be stamped "**PROBATION.**"

**Respondent is not eligible for a multi-state "Compact" license.**

#### 2. Relapse Prevention Evaluation

Eighteen (18) months prior to the termination of the Order or as requested by the Board or its designee, Respondent shall be evaluated by a relapse prevention therapist, who is at minimum, Master's prepared. Respondent shall comply with any treatment recommendations as recommended by the relapse prevention evaluator.

If recommended by the evaluator, Respondent shall enroll in a relapse prevention program or other recommended therapy within thirty (30) days of being notified by the Board or its designee of the recommendations from the evaluator. Respondent shall cause the program facilitator to inform the Board, in writing and on letterhead, verification of enrollment in

the program. Prior to entry into a relapse prevention program or any type of other recommended therapy, Respondent shall provide a copy of this Consent Agreement and Order to the program facilitator. Respondent shall sign release of information form(s) to allow the facilitator to communicate information with the Board or it's designee. Respondent shall participate in the relapse prevention program or therapy until the Board receives written verification from the facilitator that Respondent has successfully completed the program. During participation in the program, Respondent shall cause the program facilitator to provide to the Board, in writing on Board-approved forms, evidence of satisfactory attendance, participation, discharge, and successful completion of the program. Reports are due on the first quarterly reporting date after entry into the relapse prevention program and quarterly thereafter, according to schedule. Violation of this paragraph is noncompliance with the Order.

3. Notification of Practice Settings

Any setting in which Respondent accepts employment, which requires RN licensure, shall be provided with a copy of the entire Order on or before the date of hire. Within seventy-two (72) hours of Respondent's date of hire, Respondent shall cause her immediate supervisor to inform the Board, in writing and on employer letterhead, acknowledgment of the supervisor's receipt of a copy of this Consent Agreement and Order and the employer's ability to comply with the conditions of probation. In the event Respondent is attending a nursing program, Respondent shall provide a copy of the entire Consent Agreement and Order to the Program Director. Respondent shall cause the Program Director to inform the Board, in writing and on school letterhead, acknowledgment of the program's receipt of a copy of the Consent Agreement and Order and the program's ability to comply with the conditions of probation during clinical experiences.

#### 4. Quarterly Reports

Within seven (7) days of each assigned quarterly report due date, if Respondent is working in any position which requires RN licensure Respondent shall cause every employer Respondent has worked for during the quarter to provide to the Board, in writing, employer evaluations on the Board-approved form. The first report is due on the first assigned quarterly report due date after the date of employment. Receipt of notice of an unsatisfactory employer evaluation, verbal or written warning, counseling or disciplinary action, any of which pertain to patient care, practice issues, or termination from a place of employment shall be considered as noncompliance. In the event Respondent is not working in a position that requires nursing licensure, or attending school during any quarter or portion thereof, Respondent shall complete and provide to the Board, in writing, a Board approved self-report form.

#### 5. Practice Under On-Site Supervision

Respondent shall practice as a professional nurse, only under the on-site supervision of a professional nurse in good standing with the Board. On-site supervision is defined as having a professional nurse present in the building while Respondent is on duty. The supervising nurse shall have read this Consent Agreement and Order and shall provide input on Respondent's employer evaluations to the Board. The supervising nurse shall be primarily one person, who may periodically delegate to other qualified professional nurses who shall also have read this Consent Agreement and Order. In the event that the assigned supervising nurse is no longer responsible for the supervision required by this paragraph, Respondent shall cause her new supervising nurse to inform the Board, in writing and on employer letterhead, acknowledging the new supervisor's receipt of a copy of this Consent Agreement and Order and the new supervising nurse's ability to comply with the conditions of probation within ten days of assignment of a new supervising nurse.



6. Access to Drugs

Respondent shall not administer or have access to controlled substances and/or any other potentially addictive medications, including but not limited to, Nubain and Stadol, at least during the first twelve (12) months of the probationary status and until receiving written approval from the Board or its designee. Upon evidence of full compliance with the probationary terms, the Board or its designee shall evaluate and provide written notification of Respondent's ability to administer controlled/prohibited medications.

7. Acceptable Hours of Work

Respondent shall work only the day or evening shift. Evening shift is defined as a shift that ends prior to midnight. Within a 14-day period Respondent shall not work more than 84 scheduled hours.

Respondent may work three 12-hour shifts in one seven day period and four 12-hour shifts in the other seven-day period, but Respondent may not work more than 3 consecutive 12-hour shifts during this probationary period. Respondent shall not work two (2) consecutive 8-hour shifts within a 24-hour period or be scheduled to work 16 hours within a 24-hour period.

8. Registry Work Prohibited

Respondent may not work for a nurse's registry, home health, traveling nurse agency, any other temporary employing agencies, float pool, or position that requires on-call status.

9. Out of State Practice/Residence

Before any out-of-state practice or residence can be credited toward fulfillment of these terms and conditions, the Board must first approve out-of-state practice or residence.

10. Violation of Probation

If during the stayed revocation portion of the Order Respondent is non-compliant with the terms of the Order in any way, the stay of revocation shall be lifted and Respondent's license shall be automatically revoked. If during the standard probation portion of the Order Respondent is noncompliant with the terms of the Order in any respect, the Board staff may notify the Respondent's employer of the non-compliance. Additionally, the Board may revoke probation and take further disciplinary action for noncompliance with this Consent Agreement and Order after affording Respondent notice and the opportunity to be heard. If a complaint or petition to revoke probation is filed against Respondent during probation, the Board shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

11. Completion of Probation

When Respondent has nine (9) months left in the probationary period, Respondent's compliance will be reviewed by the Board's designee. If Respondent has demonstrated full compliance with all terms of the Order, Respondent will be eligible to participate in a "stepdown" component of the Order where reports from AA and Nurse Recovery Group will no longer be required, and Respondent shall submit to "on-call" urine drug screens as requested by the Board or its designee. At the end of the probation period, Respondent shall

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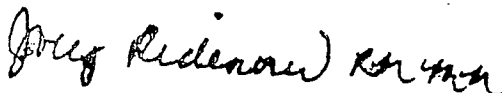
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request formal review by the Board, and, after formal review by the Board, Respondent's nurse license may be fully restored by the appropriate Board action if compliance with the Board Order has been demonstrated.

ARIZONA STATE BOARD OF NURSING

SEAL



Joey Ridenour, R.N., M.N.  
Executive Director

Dated: 9/20/2006

JR/MR

Signed in the Board office this 14th day of September, 2006.

Jennifer Lynn Winters  
4310 East Balsam Avenue  
Mesa, Arizona 85206

By: Dolores Hurtado  
Legal Secretary

**CANDO PROGRAM  
ARIZONA STATE BOARD OF NURSING  
CONFIDENTIAL STIPULATED AGREEMENT**

Pursuant to A.R.S. §32-1605.01(B)(6) and §32-1606(A)(5), the Arizona State Board of Nursing, through its executive director, has authority to enter into the following agreement and pursuant to A.R.S. §32-1663, as defined in A.R.S. §32-1601(16)(k), has authority to enforce the following agreement.

I, Jennifer Lynn Winters, License No. RN123841, agree to participate in CANDO, the Arizona State Board of Nursing's ("Board") confidential, nondisciplinary monitoring program for chemically dependent nurses. I have voluntarily chosen to participate in CANDO and agree to adhere to the following conditions set forth in this agreement:

1. To participate in CANDO for a minimum period of three years.
2. To completely abstain from the use of alcohol and all other mind/mood altering medications and controlled and/or addictive substances.
3. To enter within fourteen (14) calendar days a Arizona Department of Health Services licensed and Board acceptable chemical dependency treatment program. I agree to abide by all recommendations of that program regarding ongoing treatment and discharge planning. Documentation of name of program, therapist and/or counselor, date of entry, attendance, progress, completion, and recommendations must be submitted to CANDO.
4. To refrain from the practice of nursing until CANDO has received a recommendation to return to work from the medical director or equivalent of the chemical dependency treatment program and CANDO has approved my re-entry into nursing.
5. Within seven (7) calendar days of the completion of the intensive phase of the treatment program, enter an Arizona Department of Health Services licensed and Board acceptable aftercare program facilitated by the original chemical dependency treatment program. The aftercare program must be a minimum of six (6) months in length. A CANDO provided aftercare report must be submitted to CANDO by the last day of my reporting months. In addition, a letter documenting successful completion must be submitted to CANDO by the aftercare program.
6. To be evaluated by a Board acceptable chemical dependency therapist after completing my first year in CANDO to identify any deficiencies in my recovery program. I agree to abide by his/her recommendations which may include ongoing counseling.
7. To attend a minimum of two (2) Alcoholics Anonymous or equivalent program meetings each week and to submit the CANDO provided attendance sheet by the last day of my reporting months. I will also obtain a sponsor within sixty (60) days of entering CANDO and maintain a relationship with a sponsor during my participation in CANDO.
8. To attend weekly a Board acceptable nurse recovery group. If there is no group within forty (40) miles of my home, I will attend an additional Alcoholics Anonymous or equivalent meeting each week.
9. To submit a complete CANDO provided self-report form to CANDO by the last day of my reporting months.

10. To select one health care provider for my health care needs and to immediately submit to him/her the CANDO provided health care provider form describing CANDO, the drug restrictions, and the required documentation if any medications are prescribed either currently or at any time while participating in CANDO. Additionally, I agree to notify any and all health care providers, that I receive treatment from, of my participation in CANDO prior to receiving treatment. If my health care provider prescribes a narcotic or mood altering medication, I shall ensure that the prescribing provider notifies CANDO immediately and submits monthly reports to CANDO regarding the continued need for the narcotic or mood-altering medication.
11. To refrain from taking any medication (except for ibuprofen, plain aspirin and/or acetaminophen) unless I have obtained a written authorization from my health care provider. I will maintain a log of all medications taken including ibuprofen, plain aspirin and acetaminophen, and will submit the log to CANDO by the last day of my reporting months. The log shall include the following information: the medication taken; the date and time the medication was taken; the name of the authorizing health care provider; the reason for the medication.
12. To immediately notify CANDO if I am hospitalized or must undergo any procedures requiring the administration of medication, and to provide all required documentation from any and all health care providers.
13. To enroll within seven (7) days in a program for random drug screens that meets the NIDA guidelines and to submit to the screens as required by CANDO. Any confirmed positive drug screen for which CANDO has not received appropriate notification and documentation from the prescribing provider will be considered a relapse. My employer will be notified immediately. I will be re-evaluated for continued participation in CANDO. If it is a second relapse. I understand I will be discharged from CANDO.
14. To give prior notification of any inability to screen to the lab and CANDO. If I fail to notify CANDO and the laboratory of my inability to screen and fail to screen, I will be considered noncompliant with CANDO.
15. To notify within five (5) calendar days CANDO and the lab of any change in my home and/or employment phone number and/or address.
16. To report immediately to CANDO any relapse. Relapse is any actual use of mood or mind altering chemicals including alcohol.
17. To immediately cease practice of nursing if I relapse. Upon a relapse, I understand that I may not return to the practice of nursing until I have received written approval from CANDO.
18. To inform any and all nursing employers and/or schools of nursing of my participation in CANDO and to provide a copy of my Agreement to them and my assigned supervising nurse before accepting any clinical nursing assignment or working in a capacity requiring my nursing license. The employer/my supervisor and/or school of nursing shall submit to CANDO the completed CANDO provided form which documents my work status and ability to comply with all work restrictions.
19. To notify CANDO of any change in my employment status within five (5) calendar days of the change.

20. To have my direct supervisor complete the CANDO provided performance evaluation form in time to allow for the reports to be received by CANDO by the last day of my reporting months.
21. To observe the following work restrictions:
- a) Will not work registry, traveling nurse, nursing float pool, or any temporary employment agency work and will not work in a home or other community based settings in which direct supervision is not available.
  - b) Will work in a setting where there is always a minimum of one other registered nurse.
  - c) Will only work the day or evening shift.
  - d) Will not work more than forty (40) scheduled hours of work in one week.
  - e) Will not work a shift within twelve (12) hours of the previous shift.
  - f) Will not work more than three (3) 12-hour shifts consecutively.
  - g) Will work in an area where there is consistent supervision provided by primarily one (1) individual who has been provided a copy of my Agreement. In the event that the assigned supervising nurse is no longer responsible for the supervision required by this paragraph, I shall cause my new supervising nurse to inform the CANDO Program, in writing and on employer letterhead, acknowledgment of the new supervisor's receipt of a copy of this Agreement and to include the new supervising nurse's ability to comply with the work related restrictions within ten days of assignment of a new supervising nurse.
  - h) May float only when no reasonable alternative exists and the receiving area has knowledge of the Licensee's participation in CANDO.
  - i) Will not have access to or dispense narcotics, synthetic narcotics including but not limited to Ultram, Nubain and Stadol, or other potentially addictive medications for a minimum of twelve (12) months. I agree to abide by this restriction until I have been evaluated by and receive written authorization from CANDO.
  - j) Will not accept a new supervisory position for one (1) year.
22. To sign all release of information forms relevant to my treatment and health care.
23. Signing this agreement authorizes communication between CANDO and the identified employer and direct supervisor, and between CANDO and my treatment providers.
24. To appear in person for any requested interviews, given reasonable notice by CANDO.
25. My reporting months (the last day of every other month) while participating in CANDO are as follows:

**September, November, January, March, May, and July.**

I understand any and all expenses incurred while I am a participant in CANDO are my responsibility.

I agree to apply for renewal of my license in the event that my license is scheduled to expire while this Stipulated Agreement is in effect. I understand I must pay the applicable fee and maintain qualifications to practice nursing in Arizona.

I agree to inform the CANDO Program, in writing, of a pending relocation out of the State of Arizona, and agree to notify the Board of Nursing, in the state in which relocation to practice nursing is considered, that I am a participant in the Arizona Board of Nursing's nondisciplinary program. I

I understand that I must fully comply with the terms of this Agreement regardless of residency. I understand that while participating in CANDO, I am not eligible for a multistate "Compact" license.

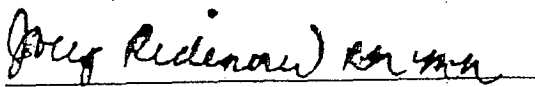
I understand that if at any time during my participation in CANDO, a complaint against my license is received by the Board, my participation in CANDO will be communicated to the Board for the Board's review in consideration of the complaint.


I understand that participation in CANDO is voluntary.

I understand that if I am noncompliant with the terms of this stipulated agreement in any respect, the CANDO Consultant may notify my employer of the noncompliance. Additionally, if I am noncompliant with any of the terms of the agreement, the length and terms of the agreement may be extended and/or modified, or I may be discharged from CANDO.

I understand that noncompliance with any of the terms of the Stipulated Agreement is considered a violation of the Nurse Practice Act. If terminated/discharged from this Agreement for noncompliance, any misconduct which may have occurred prior to the execution of the Stipulated Agreement or while this Agreement is in effect may be used in disciplinary proceedings by the Arizona State Board of Nursing (if I am discharged for noncompliance). Additionally, I understand that if discharged for noncompliance, all records of my participation in this program are no longer confidential or exempt from public records law. The Arizona State Board of Nursing may summarily suspend my nursing license if there is an immediate threat to the public health and safety. I further understand that Arizona State Board of Nursing disciplinary actions are reportable to the National Council of State Boards of Nursing Data Bank.

I hereby certify I have read this document, have had an opportunity to ask questions and I understand the agreement. Any modifications to the terms of this stipulated agreement are subject to the approval of the CANDO Consultant and must be documented in an addendum and signed by the Licensee and the Executive Director.

  
Joey Ridenour, R.N., M.N.  
Executive Director

  
Licensee: Jennifer Lynn Winters  
License No.: RN123841

Date: September 8, 2006

Date: 9-8-06

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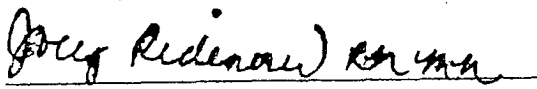
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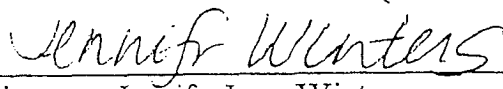
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I understand that noncompliance with any of the terms of the Stipulated Agreement is considered a violation of the Nurse Practice Act. If terminated/discharged from this Agreement for noncompliance, any misconduct which may have occurred prior to the execution of this Stipulated Agreement or while this Agreement is in effect may be used in disciplinary proceedings by the Arizona State Board of Nursing (if I am discharged for noncompliance). Additionally, I understand that if discharged for noncompliance, all records of my participation in this program are no longer confidential or exempt from public records law. The Arizona State Board of Nursing may summarily suspend my nursing license if there is an immediate threat to the public health and safety. I further understand that Arizona State Board of Nursing disciplinary actions are reportable to the National Council of State Boards of Nursing Data Bank.

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Joey Ridenour, R.N., M.N.  
Executive Director

  
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